SA:MSM/RTP

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

- X

UNITED STATES OF AMERICA

-against-

TYSHEEN COOPER,
also known as "Billz,"
SHAROD LIBURD,
also known as "Sharop Lipvro,"
and
GABRIALE HERBERT,

Defendants.

COMPLAINT
(T. 18, U.S.C., §§ 1951, 924(c), and 2)

Docket No. 17-477M

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EASTERN DISTRICT OF NEW YORK, SS:

GREGORY C. KIES, being duly sworn, deposes and says that he is a Special Agent with the Federal Bureau of Investigation ("FBI"), duly appointed according to law and acting as such.

On or about May 24, 2017, within the Eastern District of New York, the defendants TYSHEEN COOPER, also known as "Billz," SHAROD LIBURD, also known as "Sharop Lipvro," and GABRIALE HERBERT, together with others, did knowingly and intentionally attempt to obstruct, delay and affect commerce, and the movement of articles and commodities in commerce, to wit: the proceeds from a business, while brandishing a firearm.

(Title 18, United States Code, Sections 1951, and 2).

On or about May 24, 2017, within the Eastern District of New York, the defendants, TYSHEEN COOPER, also known as "Billz," SHAROD LIBURD, also known as "Sharop Lipvro," and GABRIALE HERBERT, together with others, did knowingly and intentionally use and carry a firearm during and in relation to a crime of violence, to wit, the crime charged above.

(Title 18, United States Code, Sections 924(c)(1)(A)(ii), and 2)

The source of your deponent's information and the grounds for his belief are as follows:

1. I have been a Special Agent with the FBI for more than fourteen years and am currently assigned the Brooklyn/Queens Resident Agency, where I am responsible for conducting and assisting in investigations into the activities of individuals and criminal groups responsible for narcotics-trafficking, gang activity, and violent crimes, including robberies. These investigations are conducted both in an undercover and overt capacity. I have participated in investigations involving search warrants and arrest warrants. As a result of my training and experience, I am familiar with the techniques and methods of operation used by individuals involved in criminal activity to conceal their activities from detection by law enforcement authorities.

2. I am familiar with the facts and circumstances of the investigation from my personal participation in the investigations as well as discussions with other law enforcement agents, including New York City Police Department officers, and other law enforcement agencies and from my review of records and reports relating to the investigation. Unless otherwise noted, wherever in this Affidavit I assert that a statement

was made, the information was provided by another agent or law enforcement officer or witness who may have had either direct or hearsay knowledge of that statement and to whom I or others have spoken or whose reports I have read and reviewed. Such statements are among many statements made by others and are stated in substance and in part unless otherwise indicated.

3. On or about May 24, 2017 in the early morning hours, two men, later identified as defendants COOPER and LIBURD, approached an individual known to the undersigned ("John Doe") in Queens, New York, who operates a business that sources supplies from outside the United States.

4. The two men brandished firearms and demanded money and property from John Doe.

5. John Doe then threw approximately $1,000 in cash, a portion of which represented the proceeds of his business, along with two gold necklaces onto the ground. The men picked up the money and necklaces and got into a white Nissan (the "Nissan") and fled.

6. John Doe got into his car, drove after the Nissan, and called 911. John Doe followed the Nissan from the vicinity of the location in Queens, New York to the vicinity of Kingsland Avenue and Meeker Avenue in Brooklyn, New York, where officers from the New York City Police Department ("NYPD") stopped the Nissan and arrested the occupants. At the time of the arrest, COOPER was located in the rear passenger seat. LIBURD was located in the front passenger seat. HERBERT was driving.

7. Following their arrest, law enforcement officers recovered a Smith & Wesson black .380 caliber semiautomatic gun from underneath the front passenger seat of the car. At the time of the arrest, law enforcement officers also recovered a black .38 caliber revolver with a defaced serial number, the necklaces stolen from John Doe, and a large quantity of cash.

WHEREFORE, your deponent respectfully requests that the defendants be dealt with according to law.

S/ Gregory Kies

GREGORY C. KIES
Special Agent
Federal Bureau of Investigation

Sworn to before me this
24th day of May, 2017

S/ Marilyn Go

THE HONORABLE MARILYN D. GO
UNITED STATES MAGISTRATE JUDGE
EASTERN DISTRICT OF NEW YORK